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Patent

Attorney's Docket No. 018176-070



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Prior Application No: 08/876,812

Examiner: M. Pham

Art Unit: 1641

REQUEST FORM FOR CONTINUING PROSECUTION  
APPLICATION UNDER 37 C.F.R. § 1.53(d)

RECEIVED  
MAY 19 2000  
JC 1600 MAIL ROOM

Box CPA  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 C.F.R. § 1.53(d) (Continuing Prosecution Application) of prior Application No. 08/876,812, filed on June 16, 1997, for ELECTROCHEMICAL TEST DEVICE AND RELATED METHODS by the following named inventor(s):

- (a) Full Name Joel S. DOUGLAS
- (b) Full Name Jeffrey N. ROE
- (c) Full Name John H. PRIEST

This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. 1.53(d)(4), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application:

- (a) Full Name \_\_\_\_\_
- (b) Full Name \_\_\_\_\_
- (c) Full Name \_\_\_\_\_

The above-identified prior application is hereby expressly abandoned as of the filing date of this new application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application. (Note: 37 C.F.R. § 1.53(b) must be used for applications where the prior application is not to be abandoned.)

It is understood that secrecy under 35 U.S.C. § 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a 37 C.F.R. § 1.53(d) application, be it either this application or a prior application in the same file wrapper, the Patent and Trademark Office may provide similar information or access to all other applications in the same file wrapper.

1. ☐ Enter the amendment previously filed on \_\_ under 37 C.F.R. § 1.116, but unentered in the prior application.
2. ☐ The election made previously in the prior application does not carry over to this application.
3. ☒ A preliminary amendment is enclosed.

05/18/2000 SLUANG1 00000145 08876812

00150103

690.00 OP

198.00 OP

05/18/2000 SLUANG1 00000145 08876812 690.00 OP 198.00 OP  
01 SC:131 02 FC:103

4. ☐ \_\_\_\_\_ statement(s) claiming small entity status ☐ is/are enclosed  
☐ was/were filed in prior Application No. \_\_, filed on \_\_.
5. ☒ The filing fee is calculated below on the basis of the claims existing in the prior application as amended at 1 and 3 above:

C L A I M S					
	NO. OF CLAIMS		EXTRA CLAIMS	RATE	FEE
Basic Application Fee					\$690.00 (101)
Total Claims	31	MINUS 20 =	11	x \$18.00 (103) =	198.00
Independent Claims	3	MINUS 3 =	0	x \$78.00 (102) =	
If multiple dependent claims are presented, add \$260.00 (104)					
Total Application Fee					\$888.00
If small entity status is claimed, subtract 50% of Total Application Fee					
<b>TOTAL APPLICATION FEE DUE</b>					<b>\$888.00</b>

6. ☐ This application is being filed without a filing fee. Issuance of a Notice to File Missing Parts of Application is respectfully requested.
7. ☒ A check in the amount of \$ 888.00 is enclosed for the fee due.
8. ☐ Charge \$ \_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due.
9. ☒ The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.
10. ☐ Priority of Application No. \_\_, filed on \_\_, in \_\_ (country) is claimed under 35 U.S.C. § 119.
- ☐ The certified copy of the priority application  
☐ is enclosed  
☐ was filed on \_\_ in prior Application No. \_\_; filed on \_\_

☐ has not yet been filed.

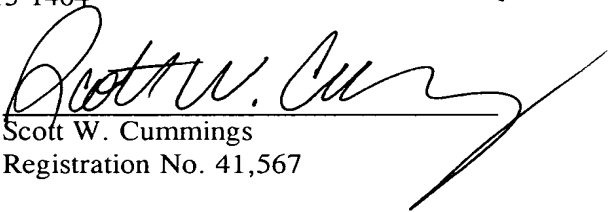
11. ☐ Also enclosed   .

12. ☒ The power of attorney in the prior application is to Burns, Doane, Swecker & Mathis.

- a. ☒ The power appears in the original papers in the prior application.
- b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. ☐ Recognize as Associate Attorney or Agent   .
- d. ☒ Address all future communications to: (May only be completed by applicant, or attorney or agent of record.)

T. Gene Dillahunt  
BURNS, DOANE, SWECKER & MATHIS, L.L.P.  
P.O. Box 1404  
Alexandria, Virginia 22313-1404

May 17, 2000  
Date

By:   
Scott W. Cummings  
Registration No. 41,567

ADDRESS OF  
SIGNATOR:

BURNS, DOANE, SWECKER & MATHIS, L.L.P.  
P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

- ☐ inventor(s)
- ☐ assignee of complete interest
- ☐ attorney or agent of record
- ☒ filed under 37 C.F.R. § 1.34(a)